

ORDINANCE NO. 2024-O-13

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO Article III, SECTION 3.04, OF THE MUNICIPAL CHARTER, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article III, Section 3.04, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024:

SECTION 3.04 ~~ABSENCE OR DISABILITY.~~

~~When the Mayor is absent from the Municipality or for any reason is unable to perform his or her duties as Mayor, the Administrative Director shall become Acting Mayor for a period of seventy-two (72) hours. The Administrative Director within twenty-four (24) hours shall notify the President of Council that he or she is Acting Mayor and that if the Mayor is unable to return within the seventy-two (72) hours that the President of Council is to become Acting Mayor for the remainder of the Mayor's absence and shall exercise all of the powers of Mayor but shall cease to be President of Council while acting as Mayor. In the event the President of Council is absent from the Municipality, or for any reason is unable to perform his or her duties as Acting Mayor, the Vice President of Council shall become the Acting Mayor, and while so acting shall have all the powers and duties of the Mayor, and he or she shall thereby cease to be Vice President of Council.~~

SECTION 3.04 ACTING MAYOR

When the Mayor is unable to perform his or her duties for any cause, the Administrative Director shall become Acting Mayor for a period of seven (7) days. The Administrative Director within twenty-four (24) hours shall notify the President of Council that he or she is Acting Mayor and that if the Mayor is unable to perform his or her duties within the next seven (7) days that the President of Council is to become Acting Mayor until the Mayor is

able to return to duty and shall exercise all of the powers of Mayor but shall cease to be President of Council while acting as Mayor.

In the event the President of Council for any reason is unable to perform his or her duties as Acting Mayor, the Vice President of Council shall become the Acting Mayor, and while so acting shall have all the powers and duties of the Mayor, and he or she shall thereby cease to be Vice President of Council.

Any and all appointments made by an acting Mayor are subject to confirmation by the Mayor upon resuming duties of the Mayoral office.

When the Mayor is unable to perform his or her duties for a period of at least twelve (12) weeks, the Council may declare the office of the Mayor vacant. Such vacancy shall be filled as provided by in section 3.06.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section 7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly

given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

PROPOSED CHARTER AMENDMENT

(A majority affirmative vote is necessary for passage)

Shall Article III, Section 3.04, Absence or Disability / Acting Mayor of the City of Mentor on the Lake, Ohio Charter be amended so that the President of Council becomes the Acting Mayor after seven days and that the Office of the Mayor may become vacant after 12 weeks if the Mayor is unable to perform the duties of the Office of the Mayor:

SECTION 3.04 ACTING MAYOR

When the Mayor is unable to perform his or her duties for any cause, the Administrative Director shall become Acting Mayor for a period of seven (7) days. The Administrative Director within twenty-four (24) hours shall notify the President of Council that he or she is Acting Mayor and that if the Mayor is unable to perform his or her duties within the next seven (7) days that the President of Council is to become Acting Mayor until the Mayor is able to return to duty and shall exercise all of the powers of Mayor but shall cease to be President of Council while acting as Mayor.

In the event the President of Council for any reason is unable to perform his or her duties as Acting Mayor, the Vice President of Council shall become the Acting Mayor, and while so acting shall have all the powers and duties of the Mayor, and he or she shall thereby cease to be Vice President of Council.

Any and all appointments made by an acting Mayor are subject to confirmation by the Mayor upon resuming duties of the Mayoral office.

When the Mayor is unable to perform his or her duties for a period of at least twelve (12) weeks, the Council may declare the office of the Mayor vacant. Such vacancy shall be filled as provided by in section 3.06.


Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and

revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.


Section 8. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.




ROBERT JOHNSON
PRESIDENT OF COUNCIL



DAVID R. EVA
MAYOR

Dated: 7/9/2024

ADOPTED: 7/9/2024

ATTEST: 
Clerk of Council